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IN RE: SOCIAL MEDIA ADOLESCENT
8 ADDICTION/PERSONAL INJURY
9 PRODUCTS LIABILITY LITIGATION

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11 This Document Relates to:
12 All Actions

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14 Case No. [22-md-03047-YGR](#) (PHK)

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ORDER RESOLVING DISPUTE RE:
EXPERT DEPOSITIONS TIME
ALLOWANCES

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18 Re: Dkt. 2129

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INTRODUCTION

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28 This MDL has been referred to the undersigned for discovery purposes. *See* Dkt. 426. Now before the Court is the Parties' joint discovery letter brief regarding a dispute over time allowances for Defendants to depose certain of Plaintiffs' expert witnesses. [Dkt. 2129]. The Parties first raised this dispute with Judge Gonzalez Rogers in their Joint Case Management Statement of July 11, 2024. [Dkt. 2104 at 11-13]. In connection with the Case Management Conference held on July 13, 2025, Judge Gonzalez Rogers directed the Parties to discuss expert discovery issues with more specificity with the undersigned. At a discovery hearing held on July 17, 2025, the Parties raised this issue. The Court ordered the Parties to meet and confer to attempt to narrow the dispute, and, to the extent not resolved, granted leave to file letter briefing, including a chart identifying for each remaining disputed expert the Parties' competing proposals for time allocations for each such expert's deposition. *See* Dkt. 2117. On July 23, 2025, the Parties filed the instant joint discovery letter brief which included as Exhibit A the chart of experts and competing time limit proposals. *See* Dkt. 2129-1. By email dated July 24, 2025, the Parties jointly lodged with the Court an Excel copy of the chart of experts, and by email dated July 25,

1 2025, the Parties submitted an updated Excel chart of the experts which reflected the State of
2 Tennessee's withdrawal of a specific expert.

3 While the Parties requested oral argument, *see* Dkt. 2129 at 1, the Court finds the instant
4 dispute suitable for resolution without oral argument because the Parties already presented their
5 competing views at the July 17, 2025 hearing and the submissions and briefing are more than
6 sufficient for the Court to address the issue. *See* Civil L.R. 7-1(b). Further, even though the
7 expert discovery schedule has been recently adjusted, *see* Dkt. 2147, the Court is cognizant of the
8 time needed to schedule and take all of these experts' depositions and finds that scheduling and
9 holding oral argument would introduce further unnecessary delay.

10 **DISCUSSION**

11 The generally applicable legal standards for discovery are well-known. The Court has
12 broad discretion and authority to manage discovery. *U.S. Fidelity & Guar. Co. v. Lee Inv. LLC*,
13 641 F.3d 1126, 1136 n.10 (9th Cir. 2011) ("District courts have wide latitude in controlling
14 discovery, and their rulings will not be overturned in the absence of a clear abuse of discretion.");
15 *Laub v. U.S. Dep't of Int.*, 342 F.3d 1080, 1093 (9th Cir. 2003); *see also ZF Meritor, LLC v. Eaton*
16 *Corp.*, 696 F.3d 254, 297 (3d Cir. 2012) ("We are mindful that the District Court has considerable
17 discretion in matters regarding expert discovery and case management, and a party challenging the
18 district court's conduct of discovery procedures bears a 'heavy burden.'"); *Natixis Fin. Prods. LLC*
19 *v. Bank of Am., N.A.*, No. 10 Civ. 3656, 2016 WL 7165981, at *4 (S.D.N.Y. Dec. 7, 2016) (Rule
20 26 confers the district court with "discretion to control the sequence and timing of discovery and
21 to impose limitations or conditions on that discovery, including expert discovery."). The Court's
22 discretion extends to crafting discovery orders that may expand, limit, or differ from the relief
23 requested. *See Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) (holding trial courts have "broad
24 discretion to tailor discovery narrowly and to dictate the sequence of discovery"). For example,
25 the Court may limit the scope of any discovery method if it determines that "the discovery sought
26 is unreasonably cumulative or duplicative, or can be obtained from some other source that is more
27 convenient, less burdensome, or less expensive." Fed. R. Civ. P. 26(b)(2)(C)(i). Ultimately, "the
28 timing, sequencing and proportionality of discovery is left to the discretion of the Court." *Toro v.*

1 *Centene Corp.*, No. 19-cv-05163 LHK (NC), 2020 WL 6108643, at *1 (N.D. Cal. Oct. 14, 2020).

2 Under Federal Rule of Civil Procedure 30(d)(1), “[u]nless otherwise stipulated or ordered
3 by the court, a deposition is limited to 1 day of 7 hours. The court must allow additional time
4 consistent with Rule 26(b)(1) and (2) if needed to fairly examine the deponent or if the deponent,
5 another person, or any other circumstance impedes or delays the examination.” Here, the
6 Plaintiffs’ experts at issue include expert witnesses who are offering opinions in differing numbers
7 of actions—some offer opinions only in this MDL on general causation issues, some offer
8 opinions both in this MDL and in the co-pending JCCP matter in California Superior Court, some
9 offer opinions in one or more specific Bellwether cases only, some offer opinions in certain State
10 cases filed against Meta only, and a handful offer opinions in certain State cases which are not part
11 of this MDL. Some of these experts have been deposed previously in the co-pending JCCP action.
12 A small number of the experts offer opinions against a subset of Defendants, as opposed to those
13 experts offering opinions implicating all Defendants.

14 In the Parties’ briefing and chart of experts, it is apparent that the Parties agree
15 conceptually on certain issues. First, the Parties agree that, for an expert offering opinions which
16 are directed against all Defendants on the same subject area (such as general causation) and
17 opinions on a case-specific issue, the time allocated for a case-specific issue should be less than
18 the time allocated for general areas. Second, the Parties agree that, for some experts previously
19 deposed in the JCCP, the time needed to depose at least some of them in the MDL should be
20 reduced. The Parties simply differ on the number of hours to adjust based on these factors,
21 although in some cases the difference between the Parties’ proposals is just a couple of hours.

22 The Court encouraged the Parties to resolve or narrow as many of these specific disputes
23 over specific experts, because ultimately the Parties know the details of each expert’s report(s) and
24 opinion(s) (and thus the reasonable time needed for deposition) at such levels of granularity that
25 negotiated resolution of these kinds of disputes is preferable. The Court appreciates that the
26 Parties were able to reach agreement on the time allocations for five experts prior to briefing and
27 two experts based on the updated expert chart. [Dkt. 2129-1 at 3].

28 Because the Parties were unable to reach agreement on the remaining experts, the Court

1 resolves these disputes as set forth in the attached Chart. In resolving each specific dispute and
2 determining the time to be allocated for each expert (as set forth in the final right-hand column of
3 the attached Chart), the Court did not apply a strictly mathematical formula but rather evaluated
4 the unique factors and arguments raised as to each expert to reach a rational and reasonable time
5 allocation for each expert. The Court is familiar with the course of discovery in this MDL and
6 with counsels' ability to work efficiently within prescribed time limits, and has taken this into
7 consideration. Finally, the Court relies on its own experience with expert discovery in complex
8 matters in approaching a fair resolution of these disputes. *See Phillip M. Adams & Assocs., LLC v.*
9 *Winbond*, No. 1:05-CV-64 TS, 2010 WL 2574151, at *1 (D. Utah June 24, 2010) ("The Court
10 finds no error in the Magistrate Judge's ruling on the length of the additional time allowed for the
11 expert depositions. The Magistrate Judge has extensive experience with complex-case expert
12 discovery in general[.]").

13 In general, the Court allocated more time for experts offering opinions in more cases, and
14 conversely, reduced time for experts offering opinions against fewer than all four Defendants. The
15 Court also considered the amount of time that an expert was previously deposed in the JCCP, and
16 adjusted downward to reflect that previous deposition (with some variation on the amount of
17 adjustment because some experts were deposed for well over eight hours in the JCCP, with one
18 expert having been deposed for over twelve hours in the JCCP already). Further, the Court
19 considered whether an expert is offering opinions in a specific Bellwether case or a specific State
20 case against Meta.

21 Additionally, some experts are proffering opinions in State cases against Meta which are
22 not part of this MDL (such as Arkansas and Tennessee). Meta reserves its right to depose those
23 experts on those non-MDL case-specific opinions in connection with expert discovery in those
24 non-MDL state cases and not in this MDL. [Dkt. 2192 at 16]. Thus, in the attached Chart, the
25 Court has allocated no additional specific time for deposition on the non-MDL case-specific
26 opinions for those handful of experts.

27 In sum, exercising its full discretion, the Court evaluated the unique circumstances of each
28 expert, the arguments of counsel, and the Parties' competing proposals to resolve the disputes as to

1 each expert as reflected in the attached Chart.

2 Further, if any counsel other than a Defendant's counsel chooses to ask questions of an
3 expert witness (*i.e.*, on redirect), then Defendants (as a side) may question that expert witness on
4 re-cross for an amount of time equal to one-half of the time spent on redirect, where the time spent
5 on re-cross shall not count towards the time limits discussed herein and as set forth in the attached
6 Chart. Nothing in this Order prohibits the Parties from reaching agreement to modify any of the
7 time allocations as set forth in the attached Chart, if they so wish.

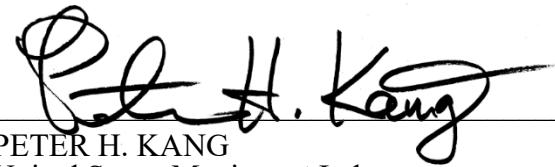
8 **CONCLUSION**

9 For all the reasons discussed herein, the Court **ORDERS** that each Plaintiff's expert
10 witness listed in the attached Chart shall be deposed for no longer than the time allocations set
11 forth in the Chart, unless otherwise stipulated.

12 This **RESOLVES** Dkt. 2129.

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14 **IT IS SO ORDERED.**

15 Dated: August 5, 2025



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17 PETER H. KANG
18 United States Magistrate Judge

Expert	Expert Category (Defs' JLB)	Short Description of Opinion/Expertise	Defendants for Which Opinions Are Offered	Opinion Offered by JCCP PI Plaintiffs [- BW]	Opinion Offered by MDL PI/SD Plaintiffs [- BW]	Number of MDL PI Plaintiff Case-Specific Opinions	Opinion Offered by MDL AGs (for Meta)	Expert Disclosed by Non-MDL AG (for Meta)	# Hours Deposed in JCCP	Plaintiffs' Proposed # of Hours	Defendants' Proposed # of Hours	Plaintiffs' Total Proposed # of Hours (incl. JCCP)	Defendants' Total Proposed # of Hours (incl. JCCP)	Court's Order
Drumwright, Minette	1a, 2	(1) Corporate Social Responsibility; (2) Marketing	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD			AR, TN	Not yet deposed	7.5 hours (all jxs) + 1 hour for opinions unique to non-MDL states	16.5 hours (12 for PI/SD + 3.5 for TN AG only + 1 for TN-specific opinions); AR <u>not included</u>)	8.5 hours	16.5 hours	13 hours (10 for PI/SD, 2 for TN AG, 1 for TN-specific opinions); deposition in AR non-MDL case to be taken separately
Estes, Tim	1a	Design	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				Not yet deposed	10 hours	12 hours	10 hours	12 hours	10 hours
Gray, Colin	1a, 2	Design	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD		MDL AG	AR, NM	Not yet deposed	7 hours	15.5 hours (12 for PI/SD + 3.5 for MDL & NM AGs <u>only</u> ; AR <u>not included</u>)	7 hours	15.5 hours	13 hours (10 for PI/SD, 2 for MDL, 1 for NM AG); deposition in AR non-MDL case to be taken separately
Istook, Brooke	1a	Design	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				Not yet deposed	10 hours (all jxs)	12 hours	10 hours	12 hours	10 hours
Johnson, Robert	1a	Defendants' Financial Condition	Meta, Snap, YT	JCCP PI	MDL PI/SD				Not yet deposed	7 hours (all jxs)	12 hours	7 hours	12 hours	9 hours
Lembke, Anna	1a, 2	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD			AR, MA, TN, NM	8.5 hours	5 hours (all jxs)	9.5 hours (6 for MDL PI/SD + 3.5 for NM & TN AGs <u>only</u> ; AR & MA <u>not included</u>)	13.5 hours	18 hours	8 hours (4 for PI/SD, 2 for NM AG, 2 for TN AG); depositions in AR and MA non-MDL cases to be taken separately
McCarron, Meredith	1a, 3	(1) User Data; (2) Specific Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI	0 (3 in JCCP)			Not yet deposed	10 hours	25 hours (10 for MDL/JCCP Data opinions, 15 for three MDL SC opinions, 10 for two JCCP SC opinions)	10 hours	25 hours	15 hours
Narayanan, Arvind	1a, 2	Design	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD		MDL AG	NM	Not yet deposed	7 hours	15.5 hours (12 for PI/SD + 3.5 for MDL & NM AGs <u>only</u>)	7 hours	15.5 hours	13 hours (10 for PI/SD, 2 for MDL, 1 for NM AG)
Chandler, John	1b, 2	Marketing	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD			NM	Not yet deposed	6 hours + 1 hour for opinions unique to non-MDL states	16.5 hours (12 for PI/SD + 3.5 for NM AG <u>only</u> + 1 for NM-specific opinions)	7 hours	16.5 hours	13 hours (10 for PI/SD, 2 for NM AG, 1 for NM-specific opinions)
Christakis, Dmitri	1b	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				12 hours 10 minutes	4.25 hours	7 hours	16 hours 25 minutes	19 hours 10 minutes	4 hours
Cingel, Drew	1b	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				7 hours 40 minutes	4 hours	6 hours	11 hours 40 minutes	13 hours 40 minutes	5 hours
Goldfield, Gary	1b	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				11 hours	4.25 hours	7 hours	15.25 hours	18 hours	4 hours
Mojtabai, Ramin	1b	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				11.5 hours	4 hours	6 hours	15.5 hours	17.5 hours	4 hours

Expert	Expert Category (Defs' JLB)	Short Description of Opinion/Expertise	Defendants for Which Opinions Are Offered	Opinion Offered by JCCP PI Plaintiffs [- BW]	Opinion Offered by MDL PI/SD Plaintiffs [- BW]	Number of MDL PI Plaintiff Case-Specific Opinions	Opinion Offered by MDL AGs (for Meta)	Expert Disclosed by Non-MDL AG (for Meta)	# Hours Deposed in JCCP	Plaintiffs' Proposed # of Hours	Defendants' Proposed # of Hours	Plaintiffs' Total Proposed # of Hours (incl. JCCP)	Defendants' Total Proposed # of Hours (incl. JCCP)	Court's Order
Murray, Stuart	1b, 3	(1) General Causation; (2) Specific Causation	Meta, Snap, TT, YT	JCCP PI / JCCP PI - Moore, RKC,	(1) MDL PI/SD; (2) MDL PI - Clevenger, D'Orazio, Mullen	3 (2 in JCCP)			8 hours 40 minutes	14 hours between two days (Day 1: 2 hours general causation + 5 hours for JCCP case-specific; Day 2: 7 hours for MDL case-specific)	30 hours (5 for MDL GC opinion; 15 for three MDL SC opinions; 10 for two JCCP SC opinions)	22 hours 40 minutes	38 hours 40 minutes	19 hours (5 for MDL General Causation; 6 for JCCP case specific; 8 for MDL case specific (SC))
Noar, Seth	1b	Warnings	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD			Not yet deposed	7 hours	12 hours	7 hours	12 hours	9 hours	
Telzer, Eva	1b	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD				11 hours	4.25 hours	6 hours	15.25 hours	17 hours	4 hours
Twenge, Jean	1b, 2	General Causation	Meta, Snap, TT, YT	JCCP PI	MDL PI/SD		MDL AG	AR, NM, MA, TN	8.5 hours	5 hours (all jxs) + 1 hour for opinions unique to non-MDL states	10.5 hours (6 for PI/SD + 3.5 for MDL, NM & TN AGs <u>only</u> + 1 for NM-specific opinions; AR & MA <u>not</u> included)	14.5 hours	19 hours	9 hours (4 for PI/SD, 2 for NM AG, 2 for TN AG, 1 for NM-specific opinions); depositions in AR and MA non-MDL cases to be taken separately
Lowenthal, Sarah	3	Specific Causation	Meta, Snap, TT		MDL PI - Melton	1		N/A (MDL-only expert)	4 hours	7 hours	4 hours	7 hours	6 hours	
Sobalvarro, Sarah	3	Specific Causation	Meta, Snap, TT, YT		MDL PI - Smith	1		N/A (MDL-only expert)	4 hours	7 hours	4 hours	7 hours	7 hours	
Hoover, Sharon	4	School District (1) Specific and (2) General	Meta, Snap, TT, YT		MDL SD / MDL SD - Breathitt, Charleston, DeKalb, Harford, Irvington, Tucson	6		N/A (SD-only expert)	9 hours	14 hours (all opinions, all cases)	9 hours	14 hours		11 hours (5 for general; 1 for each of the six case-specific opinions)
Osborne, Brian	4	School District (General)	Meta, Snap, TT, YT		MDL SD			N/A (SD-only expert)	7 hours	N/A (agreement reached)	7 hours	7 hours		N/A (Agreement Reached by MDL Parties)
Klein, Robert	4	School District (Specific)	Meta, Snap, TT, YT		MDL SD - Breathitt, Charleston, DeKalb, Harford, Irvington, Tucson			N/A (SD-only expert)	7 hours (all cases)	N/A (agreement reached)	7 hours	7 hours		N/A (Agreement Reached by MDL Parties)
Leslie, Douglas	4	School District (Specific)	Meta, Snap, TT, YT		MDL SD - Breathitt, Charleston, DeKalb, Harford, Irvington, Tucson			N/A (SD-only expert)	7 hours (all cases)	N/A (agreement reached)	7 hours	7 hours		N/A (Agreement Reached by MDL Parties)

Expert	Expert Category (Defs' JLB)	Short Description of Opinion/Expertise	Defendants for Which Opinions Are Offered	Opinion Offered by JCCP PI Plaintiffs [- BW]	Opinion Offered by MDL PI/SD Plaintiffs [- BW]	Number of MDL PI Plaintiff Case-Specific Opinions	Opinion Offered by MDL AGs (for Meta)	Expert Disclosed by Non-MDL AG (for Meta)	# Hours Deposed in JCCP	Plaintiffs' Proposed # of Hours	Defendants' Proposed # of Hours	Plaintiffs' Total Proposed # of Hours (incl. JCCP)	Defendants' Total Proposed # of Hours (incl. JCCP)	Court's Order
Meyers, Jeffrey	4	School District (Specific)	Meta, Snap, TT, YT	MDL SD - Breathitt, Charleston, DeKalb, Harford, Irvington, Tucson				N/A (SD-only expert)	7 hours (all cases)	N/A (agreement reached)	7 hours	7 hours	7 hours	N/A (Agreement Reached by MDL Parties)
Ward, Bryce	4	School District (Specific)	Meta, Snap, TT, YT	MDL SD - Breathitt, Charleston, DeKalb, Harford, Irvington, Tucson				N/A (SD-only expert)	7 hours	N/A (agreement reached)	7 hours	7 hours	7 hours	N/A (Agreement Reached by MDL Parties)
Prinstein, Mitch	0	General Causation	Meta			MDL AG	MA; TN	N/A (AG-only expert)	7 hours (all jxs)	7 hours (for MDL AGs only; MA not included)	7 hours	7 hours	7 hours	7 hours per apparent agreement of the Parties; deposition in MA non-MDL case to be taken separately
Zicherman, Bradley	0	General Causation	Meta			MDL AG	MA	N/A (AG-only expert)	7 hours (all jxs)	7 hours (for MDL AGs only; MA not included)	7 hours	7 hours	7 hours	7 hours per apparent agreement of the Parties; deposition in MA non-MDL case to be taken separately
								Total	185.25 hours	296.0 hours	264.25 hours	375.0 hours		
								Average	7 hours	11 hours	9.75 hours	13.9 hours		